



CITY OF NORFOLK  
OFFICE OF THE MAYOR

PAUL D. FRAIM  
MAYOR

February 7, 2014

The Honorable Alveta V. Green  
The Honorable Andrew A. Protogyrou  
The Honorable Paul R. Riddick  
The Honorable Thomas R. Smigiel, Jr.  
The Honorable Theresa W. Whibley  
The Honorable Angelia M. Williams  
The Honorable Barclay C. Winn

Ladies and Gentlemen:

Pursuant to Section 12 of the City Charter, I hereby call a special meeting of the Council to meet at 5:00 P.M., Tuesday, February 11, 2014, in the 10<sup>th</sup> floor conference room at City Hall for a Special Session.

Thank you,

A handwritten signature in black ink, appearing to read "Paul D. Fraim".

Paul D. Fraim  
Mayor

cc: Mr. Marcus Jones, City Manager  
Mr. Bernard A. Pishko, City Attorney  
Mr. R. Breckenridge Daughtrey, City Clerk



**CITY OF NORFOLK  
OFFICE OF THE MAYOR**

Paul D. Fraim  
Mayor

February 7, 2014

The following meetings will take place on Tuesday, February 11, 2014:

1. 5:00 P.M. Council to assemble in the 10<sup>th</sup> floor conference room at City Hall for a Special Session.
2. 7:00 P.M. Regular Council Meeting.

# **NORFOLK, VIRGINIA**

## **DOCKET FOR THE COUNCIL**

**TUESDAY, FEBRUARY 11, 2014 – 7:00 P.M.**

Prayer to be offered by Vice Mayor Angelia Williams, followed by the Pledge of Allegiance.

### **INVITATION TO BID**

IB-1                      **INVITATION TO BID** scheduled this day under State law, public notice having been inserted in the local press by the City Clerk, to accept bids for a **Deed of Lease** with a term of six years for property located at **235 East Plume Street**.

### **PUBLIC HEARINGS**

PH-1                      **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Chelsea Business Association**, to amend Map LU-1, "Future Land Use Map," in *plaNorfolk2030*: a) from Residential Mixed to Commercial, on premises numbered **816 Orapax Street**; and **1301-1307 Redgate Avenue**, b) from Industrial to Residential Mixed on premises numbered **701 Orapax Street** and **1300-1314 Boissevain Avenue** and c) from Industrial to Commercial, on premises numbered **1311-1331 Redgate Avenue**; **1210-1318 Raleigh Avenue**; **1309 Raleigh Avenue**; **1225-1309 Boissevain Avenue**; **1222-1230 W. Olney Road**; **1225-1301 W. Olney Road**; **601-607, 701-715** and **801 Orapax Street**; **508** and **804 Orapax Street**; and **801 Claremont Avenue**.

PH-2                      **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **Crossings at Campostella Station** by the **Franklin Johnston Group**, a) to amend Map LU-1, "Future Land Use Map," in *plaNorfolk2030* from Single Family Traditional to Residential Mixed, b) to amend the *Zoning Ordinance* to add section 27-37, "**The Crossings at Campostella Station Residential Planned Development**" (PD-R Campostella Station) district and c) to change zoning from I-3 (General Industrial) district to PD-R **Campostella Station** numbered **1050 Berkley Avenue Extended**.

PH-3                                **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Church Street Station by Luna Development**, to a) amend Map LU-1, "Future Land Use Map," in *plaNorfolk2030* from Industrial, Single Family Urban and Utility/Transportation to Multifamily, b) amend the *Zoning Ordinance* to add section 27-38, "Church Street Station Residential Planned Development" (PD-R Church Street Station) district and c) change the zoning from I-2 (Light Industrial), R-11 (Moderate Density Multi-Family) and RCO (Residential Compatibility Overlay) districts to PD-R Church Street Station district on properties numbered **2000 Church Street** and **1816-1824 O'keefe Street**.

PH-4                                **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on a **Land Disposition and Development Contract ("LDDC")** between the **City of Norfolk** and **Virginia Supportive Housing ("VSH")**, a Virginia non-stock corporation for 1.2 acre parcel of real property located off **Church Street** in the **Huntersville** area.

PH-5                                **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend the **Zoning Ordinance of the City Of Norfolk, 1992**, Table 5-A, "Table of Land Uses" to add "Recreational Sports, Indoor" as a use allowed by **Special Exception** within Business and Commerce Park districts (BC-1) and (BC-2).

PH-6                                **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend the **Zoning Ordinance of the City of Norfolk, 1992**, Chapter 4, "Residential districts," to eliminate alternative standards for Special Exception uses within Residential zoning districts.



- PH-7                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of the **City Planning Commission**, to amend the **Zoning Ordinance of the City of Norfolk, 1992, Section 12-3**, “Expansion of nonconforming structures,” **Section 12-9**, “Discontinuation of nonconforming uses,” and **Section 25-10.11**, "Substantial renovation of a nonconforming structure or resumption of a nonconforming use" in order to limit the availability of the **Special Exception** process by establishing additional compliance criteria.
- PH-8                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **City Planning Commission**, to amend the **Zoning Ordinance of the City of Norfolk, 1992**, Table 11-33-A –“Table of Land Uses”, to add “Pawnshop” as a land use allowed by **Special Exception** within the PCO-5 PTS (Pedestrian Commercial Overlay – Five Points) overlay zoning district.
- PH-09                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Riverview Business Association**, to amend the **Zoning Ordinance of the City of Norfolk, 1992, Section 11-24**, “Pedestrian Commercial Overlay District – Riverview,” to revise certain development standards.
- PH-10                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments authorizing the sale to **Norfolk Redevelopment and Housing Authority** of a certain parcel of property described as **ES Reservoir Avenue**, acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950**, as amended, for the sum of \$13,000.00, and approving the terms and conditions of the **Purchase and Sale Agreement**.
- PH-11                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments authorizing the sale to **Norfolk Redevelopment and Housing Authority** of a certain parcel of property described as **ES Maltby Avenue**, acquired by the City of Norfolk pursuant to **Section 58.1-3970.1** of the **Code of Virginia, 1950**, as amended, for the sum of \$20,000.00, and approving the terms and conditions of the **Purchase and Sale Agreement**.

- PH-12                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on an Amendment to a Lease with **Philly D. LLC. (D'Egg)** for **204 Main Street**, a property in the City of Norfolk.
- PH-13                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on approving a Lease with **Bon Secours – Depaul Medical Center, Inc.**, for use of certain premises located at **7300 Newport Avenue**.
- PH-14                    **PUBLIC HEARING** scheduled this day pursuant to action of the Council on **February 4, 2014**, under State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the conveyance of a **Gem Lot** to **Erick Cooper** on property located at **1720 Todd Street**.
- PH-15                    **PUBLIC HEARING** scheduled this day pursuant to action of the Council on **February 4, 2014**, under State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the conveyance of a **Gem Lot** to **Zishan Hameed** on property located at **W S Minnie Avenue**.
- PH-16                    **PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the conveyance of a **Gem Lot** to **Terrence Fasu K. Konneh** on property located at **1255 Hanson Avenue**.



## **CONSENT AGENDA**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Letter from the City Clerk transmitting an **Abstract of Votes** cast in the City of Norfolk at the General Election on January 7, 2014, pursuant to **Section 24.2-675** of the Code of Virginia.

**Recommended Action:** Receive and File.

## **REGULAR AGENDA**

- R-1 Matter of a **PUBLIC HEARING** scheduled this day pursuant to action of the Council **October 22, 2013**, under the State law, public notice having been inserted in the local press by the City Clerk, on the application of **Tidewater Commerce Center** a) to amend the future land use map, "Map LU-1", of the City's General Plan, *plalNorfolk 2030*, from Industrial to Commercial and b) for a change of zoning from I-1 (Limited Industrial) District to Conditional C-2 (Corridor Commercial) District on property located at **630 and 660 Tidewater Drive**.

(Passed by at the meetings of November 26, 2013 and January 14, 2014)

- R-2 Matter of a letter from the City Manager and a Resolution entitled, "A Resolution requesting the **Virginia Department of Transportation** to accept certain additional city streets for municipal assistance payments and to remove certain streets from the eligible list pursuant to **Section 33.1-41.1, Code of Virginia, 1950**, as amended," will be introduced in writing and read by its title.

(Passed by at the meeting of January 14, 2014)

- R-3 Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the purchase from **Anita E. Urquhart**, of certain property located in the City of Norfolk, known, numbered and designated as **1224 Cary Avenue**, for the sum of \$10,000.00 in accordance with the terms and conditions of the attached purchase and **Sale Agreement**; and authorizing the expenditure of a sum of up to \$15,000.00 from funds heretofore appropriated to pay the purchase price and the other transaction cost," will be introduced in writing and read by its title.
- R-4 Letter from the City Manager and an Ordinance entitled, "An Ordinance appropriating and authorizing the expenditure of an additional amount up to \$2,330,516.00 from the **Commonwealth of Virginia** for inclusion in the **Fiscal Year 2014 Comprehensive Services Act** for the At-Risk Youth and Families Pool Fund and authorizing the expenditure of an additional amount up to \$890,981.00 in local matching funds from the **Norfolk Department of Human Services** for the **Fiscal Year 2014**," will be introduced in writing and read by its title.
- R-5 Letter from the City Manager and an Ordinance entitled, "An Ordinance accepting a Grant in the amount of \$20,000 from **Smart Beginnings South Hampton Roads** and appropriating and authorizing the expenditure of the grant funds and \$180,000 in local cash matching funds for Fiscal Year 2014 for the Smart Beginnings Program to increase public awareness of the importance of early education, to sponsor early learning centers for the Quality Rating Improvement System, to assist early learning centers and family home providers to undergo the Quality Rating Improvement System process, to support early learning programs in the small business development center and to provide scholarships for the **Tidewater Community College Early Educator Program** as part of the Smart Beginnings Program," will be introduced in writing and read by its title.
- R-6 Letter from the City Manager and an Ordinance entitled, "An Ordinance establishing the **Federal Asset Forfeiture Revenue Account**, accepting from the **U.S. Department of Justice, Asset Forfeiture and Money Laundering Section**, an equitable Sharing Program Fund Award of \$95,000.00, more or less, as Federal Forfeiture Asset Funds, appropriating and authorizing the expenditure of the funds for Law Enforcement purposes, in accordance with the terms and conditions of the attached **Equitable Sharing Agreement and Certification**," will be introduced in writing and read by its title.



- R-7 Letter from the City Attorney and an Ordinance entitled, "An Ordinance directing the **City Treasurer** to issue a refund to **Boddie Noell Enterprises, Inc.** in the amount of \$4,955.81 based upon the overpayment of Business Personal Property Tax for 2013," will be introduced in writing and read by its title.
- R-8 Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the reissuance and remarketing of the **City of Norfolk, Virginia, General Obligation Variable Rate Demand Bonds, Series 2007** and the replacement of or amendment to certain financing documents related thereto," will be introduced in writing and read by its title.
- R-9 Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting **Fred Zeisberg** to encroach into **Hunt Road** right-of-way at **6899 Hunt Road** with pavers for an 11' by 24' parking pad and a walkway extension to the parking pad," will be introduced in writing and read by its title.
- R-10 Letter from the City Manager and an Ordinance entitled, "An Ordinance permitting **Holy Trinity Catholic Church** to encroach into **Granby Street** right-of-way at the **9500** block of **Granby Street** with two 18" by 24" directional signs in the verge north and south of **Government Avenue**," will be introduced in writing and read by its title.
- R-11 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to **Mazzika, LLC**, authorizing the operation of an entertainment establishment on property located at **4800 Colley Avenue, Suites C, D1 and D2**," will be introduced in writing and read by its title.
- R-12 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to **7-Eleven, Inc.** authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as '**7-Eleven**' on property located at **3650 North Military Highway**," will be introduced in writing and read by its title.

- R-13 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to **Jessys Groceries, Inc.** authorizing the operation of an eating and drinking establishment on property located at **3201 East Ocean View Avenue, Suite 104,**" will be introduced in writing and read by its title.
- R-14 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to **Hibachi Buffet Of Norfolk, Inc.,** authorizing the operation of an eating and drinking establishment known as '**Hibachi Grill Supreme Buffet**' on property located at **5957 East Virginia Beach Boulevard, Suite 4,**" will be introduced in writing and read by its title.
- R-15 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a **Special Exception** to **Norfolk District Associates, LLC** to permit the operation of an entertainment establishment on property located at **333 Waterside Drive,**" will be introduced in writing and read by its title.
- R-16 Letter from the City Manager and an Ordinance entitled, "An Ordinance approving an amendment to the **Service Agreement** relating to the **Hamptons Regional Jail,**" will be introduced in writing and read by its title.
- R-17 Letter from the City Manager and an Ordinance entitled, "An Ordinance to amend and reordain **Subsection (D) of Section 24-203.1** of the **Norfolk City Code, 1979, SO AS TO** require adjustment of the amount of tax abatement two years after completion of renovation activities," will be introduced in writing and read by its title.